



## AGENDA

Long Beach City Council Meeting  
**City Council Workshop August 4, 2014 at 6:30 p.m.**  
**Regular City Council August 4, 2014 at 7:00 p.m.**  
Long Beach City Hall - Council Chambers  
115 Bolstad Avenue West

### 6:00 PM WORKSHOP

WS 14-12 – Fence at SW corner of Sid Snyder Drive and California Avenue – **TAB - A**

### 7:00 PM CALL TO ORDER; PLEDGE OF ALLEGIANCE; AND ROLL CALL

Call to order      Mayor Andrew, Council Member Linhart, Council Member Hanson,  
and roll call      Council Member Perez, Council Member Murry, and Council Member Phillips

### CONSENT AGENDA - TAB - B

All matters, which are listed within the consent section of the agenda, have been distributed to each member of the Long Beach City Council for reading and study. Items listed are considered routine by the Council and will be enacted with one motion unless a Council Member specifically requests it to be removed from the Consent Agenda to be considered separately. Staff recommends approval of the following items:

- Minutes, July 21, 2014 Regular City Council meeting.
- Payment Approval List for Warrant Registers 54398 - 54445 & 76557 - 76626 for \$183,644.95

### BUSINESS

- **AB 14-46 – Ordinance 903 Prohibiting ATVs – TAB – C**

### ORAL REPORTS

- |   | City Council | Mayor | City Administrator | Department Heads |
|---|--------------|-------|--------------------|------------------|
| • |              |       |                    |                  |

### CORRESPONDENCE AND WRITTEN REPORTS – TAB – D

- Business License – Cann Lawyers, 212 Pacific Ave N.
- Business License – Anderson Environmental Contracting, LLC; Kelso, WA
- Business License – Douglas Construction Co.; Ocean Park, WA
- Correspondence – Sales Tax & Lodging Tax Collections
- Correspondence – Letter to Ms. Price from Department of Ecology CCed to City
- Correspondence – Letter to Ms. Price from Corps of Engineers CCed to City
- AWC Certificate for Mayor Andrew regarding the Municipal Leadership Program

### FUTURE CITY COUNCIL MEETING SCHEDULE

The Regular City Council meetings are held the 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month at 7:00 PM and may be preceded by a workshop typically commencing at 6:00 PM.

August 18, 2014 – 7:00 pm – City Council Meeting

September 2, 2014 – 7:00 pm – City Council

### PUBLIC COMMENT

At this time, the Mayor will call for any comments from the public on any subject whether or not it is on the agenda for any item(s) the public may wish to bring forward and discuss. Preference will be given to those who must travel. **Please limit your comments to five minutes. The City Council does not take any action or make any decisions during public comment.** To request Council action during the Business portion of a Council meeting, contact the City Administrator at least one week in advance of a meeting.

### ADJOURNMENT

American with Disabilities Act Notice: The City Council Meeting room is accessible to persons with disabilities. If you need assistance, contact the City Clerk at (360) 642-4421 or advise City Clerk at the meeting.

TAB - A



**CITY COUNCIL  
WORKSHOP BILL  
WS 14-12**

**Meeting Date: August 4, 2014**

**AGENDA ITEM INFORMATION**

<b>SUBJECT: Fence at SW Corner of Sid Snyder West and California</b>	<b>Originator:</b>	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	GB
	Events Coordinator	
	Finance Director	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
<b>COST: N/A</b>		

**SUMMARY STATEMENT:** Attached are correspondence and photos between city staff and Colleen Coddington. The fence went up over a weekend, and the property owner was unaware she is located a design review area. The fence is 5' high (60'). Its maximum allowable height without a design exception is 42". The Council is allowed to grant one design exception per calendar year to a commercial property. While this land use is residential, the zoning is Old Town, a commercial zone. The owner has received compliments, while staff has received several complaints. This is to be expected: those in support will speak to the owner, those not in support will contact the city. Staff believes this is an allowable fence material for an OT zone fence, similar in nature to chain link, but with more wooden elements. Chain link, allowed in this zone, encircles the block across the street from Ms. Coddington's. Staff is asking Council for advice on this design review, and also for any comments Councilors may have received from community members.

## Gayle Borchard

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**From:** Colleen Coddington <cckarefree@yahoo.com>  
**Sent:** Monday, July 21, 2014 4:08 PM  
**To:** planner@longbeachwa.gov  
**Subject:** Fence variance

Dear Gayle and anyone else it may concern,  
2014

July 21,

My name is Colleen Coddington & I live at 201 Sid Snyder Dr. at California. That is accross the street from the go-carts and behind the Bank of the Pacfic.

I just replaced the old broken down fence that had been around the property. I have used welded wire framed with pressure treated wood. I chose this material because it is strong, won't rot quickly and is vertually see through. I had it angled at the corner as well, all in an effort to make very good visability for all the traffic in that area.

It is an attractive fence in my opinion, and in just the last two days, have had 8 or more people stop to tell us that they like it as well.

This morning I was made aware, by the city inspector that there are height restrictions of 42" for the street side of the fence.

I am requesting a variance for special needs as I have several family pets to keep in the yard. I have from small and springy to large leapers.(blue heeler's,husky's,and heinz 57's).

I feel that there is no difference between my having a 5' fence on the other side of the road from the go-cart compound having 5 or 6' cyclone fences around that whole place, and there are several fences around my place that also have taller fences.

I try hard to keep my place looking nice and clean, but I am also tired of having to pick up all the trash that all the people(tourists mainly) drop or throw out as they go by.

I would also like to get some planters to put around to dress and soften it all up a bit more.

Thank you for your consideration, in my case, and invite you to come and take a look, I think you will see that it is really quite nice and improves the area.

Thank you, Colleen  
360 901-2342  
cckarefree@yahoo.com

I am not able to attach the photo's so they will follow



## Gayle Borchard

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**From:** Gayle Borchard <[planner@longbeachwa.gov](mailto:planner@longbeachwa.gov)>  
**Sent:** Monday, July 28, 2014 8:39 AM  
**To:** 'Colleen'  
**Subject:** RE: Fence variance

Colleen, Yes, I thought so, but then I got complaints. Here's what I am going to suggest – come to the next Council workshop meeting on August 4<sup>th</sup> and discuss the issues with the Councilors. I'll see if we can put this on a workshop instead of a business meeting. I'll let you know in the next few days. Workshops are more problem solving and less stressful than full-on business meetings. It allows me to get the drift of the Council on this issue, and a workshop is likely to be more productive than me writing up the decision - which, based on current circumstances, would require you to cut down the fence, something you won't want to do - and having you appeal it to the Council. Call me if you want to discuss this further or if you can't be here on the 4th: 360.642.4421. Hang in there, it isn't over yet. Regards, Gayle

**From:** Colleen [<mailto:cckarefree@yahoo.com>]  
**Sent:** Tuesday, July 22, 2014 5:37 PM  
**To:** Gayle Borchard  
**Subject:** Re: Fence variance

Gayle, I thought you said  
Not to worry, that it would go through? We have had nothing but compliments in fact there are two people wanting to higher the builder to build them fences too, just like it! One of those people being the wife of the man that owns peninsula sanitation. Who ever complains does not  
Have to put up with all the garbage in their yard, or people being up-set over their dogs running  
At all the people that go by this place. Any other material is going to interfere with visibility, I am the only person that lives full time on this side of the whole block and has to  
Put up with daily crap from so many different folks. No one else is dealing with or paying for any of it!! I don't think the bank would complain and the go carts have nothing to complain about, so who else matters( really!!!)  
Please, and thank you, Colleen

Sent from my iPhone

On Jul 22, 2014, at 4:43 PM, "Gayle Borchard" <[planner@longbeachwa.gov](mailto:planner@longbeachwa.gov)> wrote:

Colleen, Thanks. Hang loose on any more work on the fence. I have received several complaints, both about the fence's construction and its height. Let me think about all of this and see what can and can't be approved. I will get to this in the next few days. Sorry, I know this isn't what you want to hear right now. Gayle

**From:** Colleen Coddington [<mailto:cckarefree@yahoo.com>]  
**Sent:** Monday, July 21, 2014 4:08 PM  
**To:** [planner@longbeachwa.gov](mailto:planner@longbeachwa.gov)  
**Subject:** Fence variance

Dear Gayle and anyone else it may concern,

July 21, 2014

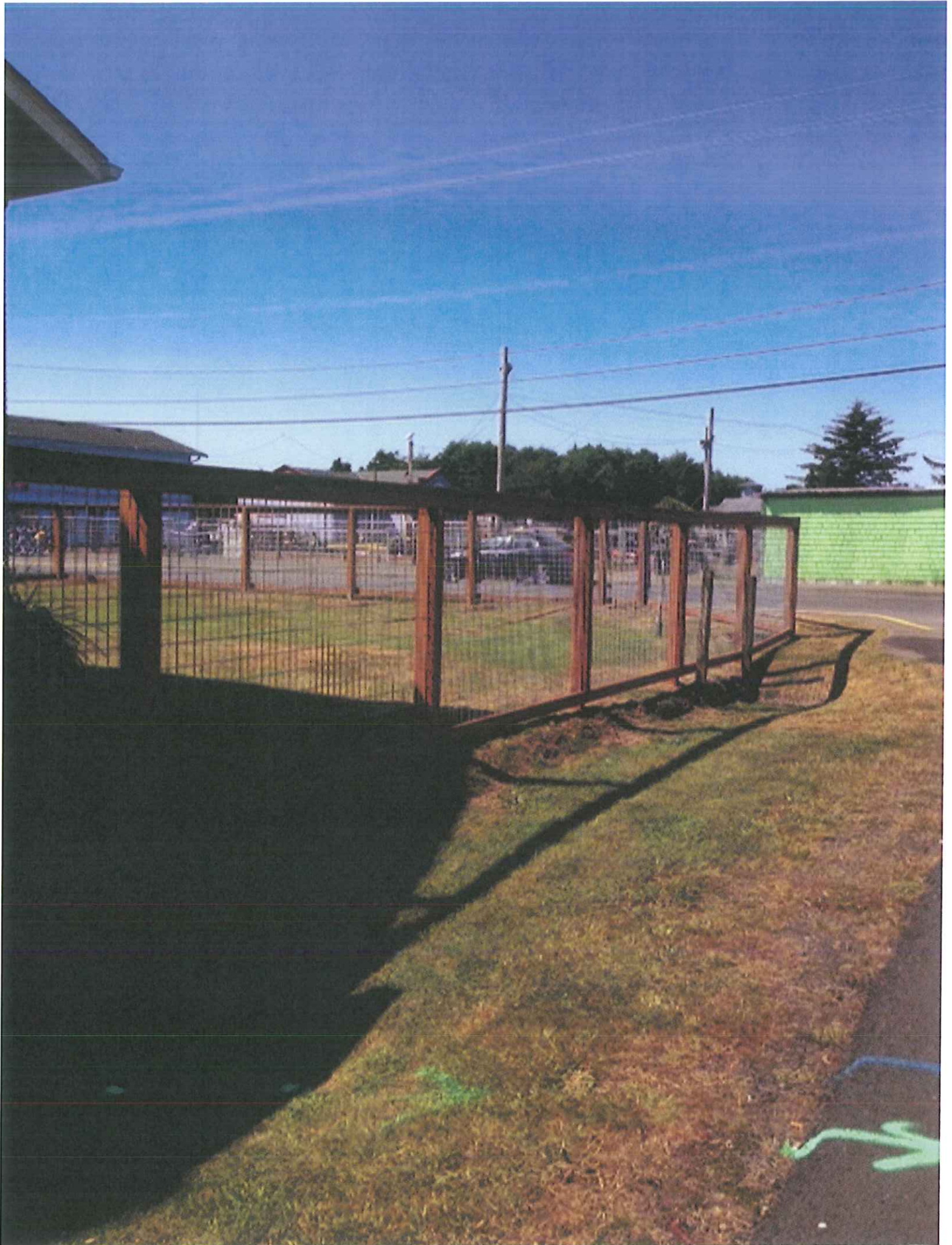




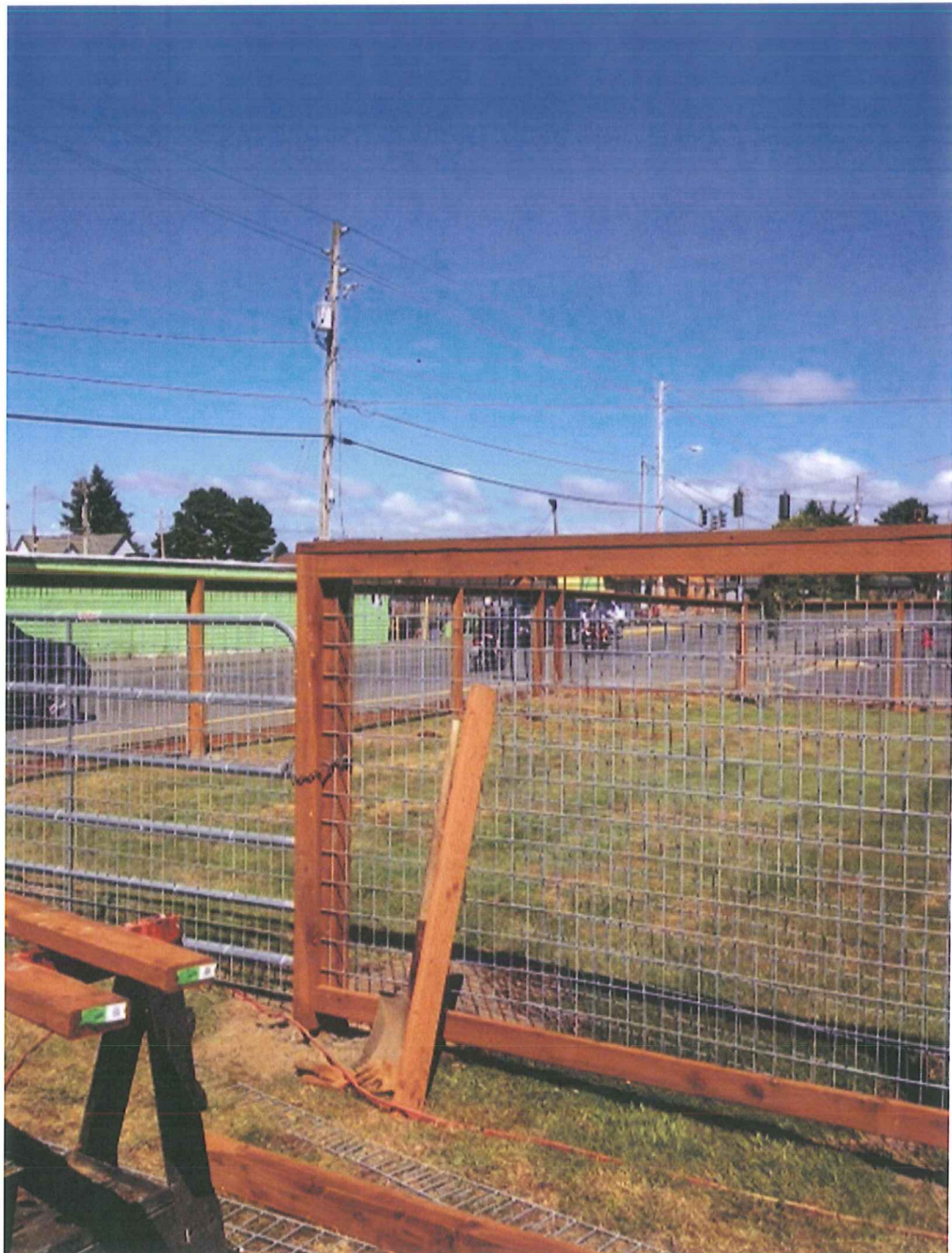












**TAB - B**





## Warrant Register

Check Periods: 2014 - July - Second

I, THE UNDERSIGNED DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE CLAIM IS A JUST, DUE AND UNPAID OBLIGATION AGAINST THE CITY OF LONG BEACH, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.

Council Member	Council Member	Council Member	Finance Director
Number	Name	Print Date	Clearing Date
54398	Bell, Helen S	7/18/2014	Amount
54399	Binion, Jacob	7/18/2014	\$1,199.47
54400	Bonney, Matthew T	7/18/2014	\$2,648.45
54401	Booi, Kristopher A	7/18/2014	\$1,164.51
54402	Borchard, Gayle	7/18/2014	\$1,154.80
54403	Cutting, Jeffrey G.	7/18/2014	\$1,966.02
54404	Daulton, Alan T	7/18/2014	\$2,605.59
54405	Easter, Ryan	7/18/2014	\$488.99
54406	Eastham, Jesse	7/18/2014	\$781.84
54407	Payroll Vendor	7/18/2014	\$1,370.56
54408	Fitzgerald, Rick E.	7/18/2014	Void
54409	Gilbertson, Bradley K	7/18/2014	\$1,929.72
54410	Glasson, David R.	7/18/2014	\$1,763.57
54411	Goulter, John R.	7/18/2014	\$2,537.35
54412	Gray, Karen	7/18/2014	\$1,511.36
54413	Payroll Vendor	7/18/2014	\$436.85
54414	Kirby, Gary E	7/18/2014	Void
54415	Kitzman, Michael	7/18/2014	\$1,218.60
54416	Luehe, Paul J	7/18/2014	\$2,099.45
54417	Meiling, Casey K	7/18/2014	\$2,032.64
54418	Mortenson, Tim	7/18/2014	\$1,703.86
54419	Myers, Ragan S.	7/18/2014	\$2,530.96
54420	Nawn, Rodney J.	7/18/2014	\$1,429.95
54421	Ostgaard, Loreta G	7/18/2014	\$2,198.18
54422	Payroll Vendor	7/18/2014	\$1,392.73
54423	Parker, Michael T	7/18/2014	Void
54424	Ross, Steven J	7/18/2014	\$1,353.17
54425	Payroll Vendor	7/18/2014	\$1,760.71
54426	Scott, Mark G	7/18/2014	Void
			\$1,088.86

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Register

Page 1 of 4

Number	Name	Print Date	Clearing Date	Amount
54427	Smith, Charles D	7/18/2014		\$848.82
54428	Tobin, David M	7/18/2014		\$1,248.18
54429	Warner, Ralph D.	7/18/2014		\$2,284.35
54430	Wood, Matthew T	7/18/2014		\$846.24
54431	Wright, Flint R	7/18/2014		\$2,367.99
54432	Zuern, Donald D.	7/18/2014		\$2,032.75
54433	Elyson, Susan R	7/18/2014		\$1,035.26
54434	Huff, Timothy M.	7/18/2014		\$1,592.92
54435	Russum, Richard	7/18/2014		\$1,887.03
54436	Padgett, Timothy J	7/18/2014		\$771.75
54437	AFLAC	7/22/2014		\$209.88
54438	Association of WA Cities	7/22/2014		\$18,755.63
54439	City of Long Beach - Fica	7/22/2014		\$12,846.62
54440	City of Long Beach - FWH	7/22/2014		\$9,849.14
54441	Dept of Labor & Industries	7/22/2014		\$2,596.18
54442	Dept of Retirement Systems	7/22/2014		\$11,004.70
54443	Dept of Retirement Systems Def Comp	7/22/2014		\$6,674.00
54444	Massmutual Retirement Services	7/22/2014		\$375.00
54445	Teamsters Local #58	7/22/2014		\$182.00
76557	Pacific County Auditor	7/23/2014		\$128.00
76558	Back Country Horse Outfitters	7/21/2014		\$700.00
76559	Marianne Flemming	7/25/2014		Void
76560	Dianna Root	7/25/2014		\$800.00
76561	Bolden, Dee	7/28/2014		\$133.00
76562	Aquino, Robert	7/28/2014		\$133.00
76563	Smith, Ethan	7/28/2014		\$133.00
76564	Evergreen Rural Water of WA	7/29/2014		\$780.00
76565	Haskin, Katie	7/31/2014		\$1,231.90
76566	Postmaster	7/31/2014		\$577.92
76567	Pacific County Sheriffs	7/31/2014		\$4,348.32
76568	At&t Mobility	7/31/2014		\$57.21
76569	Pacific County Auditor	7/31/2014		\$32.00
76570	Employment Security Dept	7/31/2014		\$894.43
76571	Starvation Alley Farms	7/31/2014		\$588.00
76572	Association of Washington Cities	7/31/2014		\$717.82
76573	A-1 Redi Mix	8/1/2014		\$519.60
76574	Active Enterprises, Inc.	8/1/2014		\$184.69
76575	All Rents	8/1/2014		\$65.00
76576	AlSCO-American Linen Div.	8/1/2014		\$43.16
76577	Arts Auto Parts Inc.	8/1/2014		Void
76578	Astoria Janitor & Paper Supply	8/1/2014		\$1,415.50
76579	Back Country Horse Outfitters	8/1/2014		\$700.00
76580	Backflow Management Inc	8/1/2014		\$1,500.00
76581	Chinook Observer	8/1/2014		\$68.00
76582	Columbia Ford, Inc.	8/1/2014		\$171.66
76583	Cres Comm Wif. LLC.	8/1/2014		\$2,000.00

Execution Time: 9 second(s)



Number	Name	Print Date	Clearing Date	Amount
76584	Cunningham, Jesse	8/1/2014		\$400.00
76585	DAVIS WRIGHT TREMAINE LLP	8/1/2014		\$140.00
76586	Department of Revenue	8/1/2014		\$120.32
76587	Dept of Ecology	8/1/2014		\$3,491.90
76588	Evergreen Septic Service	8/1/2014		\$2,115.00
76589	Ferguson Enterprises, Inc #3001	8/1/2014		\$556.47
76590	Glock, Inc.	8/1/2014		\$107.81
76591	Hach Company	8/1/2014		\$274.07
76592	Hill Auto Body & Towing	8/1/2014		\$1,527.22
76593	IBS, Inc.	8/1/2014		\$217.92
76594	Interstate Battery	8/1/2014		\$867.41
76595	K & L Supply, Inc.	8/1/2014		\$403.12
76596	L.N. Curtis & Sons	8/1/2014		\$887.14
76597	Lakeside Industries, Inc.	8/1/2014		\$568.71
76598	Lawson Products, Inc.	8/1/2014		\$534.16
76599	LEEDWAY, LLC	8/1/2014		\$909.83
76600	Long Beach Merchants	8/1/2014		\$4,000.00
76601	Marianne Flemming	8/1/2014		\$400.00
76602	Myers, Ragan	8/1/2014		\$26.08
76603	PAPE MACHINERY EXCHANGE	8/1/2014		\$125.88
76604	Peninsula Visitors Bureau	8/1/2014		\$11,250.00
76605	Penoyar, William	8/1/2014		\$1,000.00
76606	Photo neil	8/1/2014		\$224.38
76607	Pitney Bowes Inc	8/1/2014		\$598.80
76608	Prestegard, Ray	8/1/2014		\$75.00
76609	Public Grants & Training Initiative	8/1/2014		\$54.30
76610	Public Utility District 2	8/1/2014		Void
76611	Radio Shack	8/1/2014		\$9.68
76612	Sirennel.com	8/1/2014		\$465.30
76613	Sitser, Zarah	8/1/2014		Void
76614	South District Court	8/1/2014		\$1,166.57
76615	Standard Insurance Co.	8/1/2014		\$1,828.92
76616	Stripe Rite	8/1/2014		\$4,450.00
76617	Tangly Cottage Garden	8/1/2014		\$533.61
76618	Unum Life Insurance	8/1/2014		\$45.60
76619	Usa Blue Book	8/1/2014		\$264.52
76620	Verizon Wireless	8/1/2014		\$137.28
76621	Visa	8/1/2014		\$827.49
76622	WA State Office of Minority and Women's Business Enterprise	8/1/2014		\$100.00
76623	WASHINGTON ASSOC OF CODE ENFORCEMENT	8/1/2014		\$40.00
76624	Wilcox & Fiegel Oil Co.	8/1/2014		\$2,781.96
76625	Wm. H. Reilly & Co.	8/1/2014		\$1,586.34
76626	World Kite Museum	8/1/2014		\$2,833.32

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Number	Name	Print Date	Clearing Date	Amount
		Total	Check	\$183,644.95
		Grand Total		\$183,644.95

Execution Time: 9 second(s)

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## LONG BEACH CITY COUNCIL MEETING

JULY 21, 2014

### CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL

Mayor Andrew called the meeting to order at 7:00 p.m. and asked for the Pledge of Allegiance and roll call.

### ROLL CALL

David Glasson, Finance Director, called roll with Mayor Andrew, C. Linhart, C. Hanson, C. Perez, C. Murray, and C. Phillips present.

### CONSENT AGENDA

Minutes, July 7, 2014 Regular City Council meeting

Payment Approval List for Warrant Registers 54342-54397 & 76445-76556 for \$244,810.82

**C. Linhart made the motion to approve the consent agenda with C. Hanson seconding the motion. 5 Ayes 0 Nays 0 Abstain, motion passed.**

### BUSINESS

AB 14-44      Ordinance 903 Prohibiting ATVs

Gayle Borchard, Community Development Director, presented the agenda bill. Agenda item is in regards to prohibiting the use of ORVs/WATVs on city streets, Discovery Trail, and in the primary dune area. **C. Linhart made the motion to schedule the first public hearing for August 4, 2014 followed by a second hearing on August 18, 2014 with C. Perez seconding the motion. 5 Ayes 0 Nays 0 Abstain, motion passed.**

AB 14-45      Fire Station Roofing Bid Request

David Glasson, Finance Director, presented the agenda bill. Agenda item is in regards to creating a bid packet and requesting bids to replace fire station roof. **C. Phillips made the motion to approve the agenda bill with C. Hanson seconding the motion. 5 Ayes 0 Nays 0 Abstain, motion passed.**

### ORAL REPORTS

C. Linhart, C. Perez, C. Murray, C. Phillips, Mayor Andrew, David Glasson, Finance Director and LBVFD Chief, Gayle Borchard, Community Development Director, Ragan Myers, Tourism and Events Coordinator, presented reports.

C. Hanson requested a workshop to discuss a possible spray park at the beach.

## **CORRESPONDENCE AND WRITTEN REPORTS**

Thank you from Linda Bledsoe

Tourism & Events Update

Budget and Finance report for June 2014

Business License – CK Painting – Outside City Limits

Business License – Watson Productions Inc. – Outside City Limits

PCEMA Agenda and Minutes

## **PUBLIC COMMENT**

No public comments.

## **ADJOURNMENT**

**Mayor Andrew adjourned the meeting.** The meeting was adjourned at 7:25 p.m.

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Mayor

ATTEST:

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City Clerk



TAB - C



**CITY COUNCIL  
AGENDA BILL  
AB 14-46**

**Meeting Date: August 4, 2014**

**AGENDA ITEM INFORMATION**

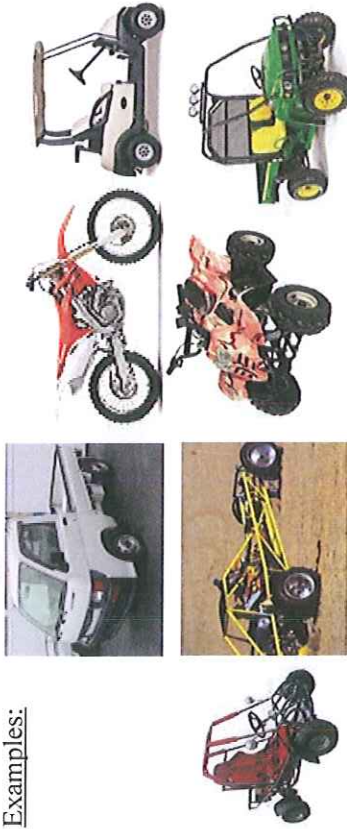
<b>SUBJECT:</b> Ordinance 903 Regulating ORVs/WATVs	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	GB
	Finance Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
<b>COST:</b> N/A	Other:	
<b>SUMMARY STATEMENT:</b> This is the first of 2 public hearings on this ordinance. Staff has added language about the legality of drivers. Staff has discussed what allowing "street legal" vehicles, pursuant to State law may mean, and has also received some negative verbal citizen comments regarding this issue. Staff will present this information to Council. Draft ordinance and photos of possibly "street legal" vehicles attached.		
<b>RECOMMENDED ACTION:</b> Conduct public hearing. Receive public comment and staff input.		



# Off Road or All Terrain Vehicle/Motorcycle Resource Sheet

(RCW 46.09.020) "Off-road vehicle" or "ORV" means any nonstreet licensed vehicle when used for recreational purposes on nonhighway roads, trails, or a variety of other natural terrain. Such vehicles include, but are not limited to, all-terrain vehicles, motorcycles, motorbikes, four-wheel drive vehicles, and dune buggies."

Examples:



**Note:** No three or four wheel off-road vehicle can be altered to become street legal in Washington State. A manufacturer must certify that the vehicle meets the Federal Motor Vehicle Safety Standards (FMVSS) for street use in order for a vehicle to be licensed for street use in Washington State.

Starting January 1, 2012, some two wheel motorcycles may be licensable IF a declaration form is filed with the Department of Licensing which must include certification by a licensed dealer or repair shop that the modifications made comply with FMVSS and state laws. For more information regarding this please visit the Department of Licensing Web site at [www.dol.wa.gov](http://www.dol.wa.gov).

## Licensing

- No Drivers License needed ([RCW 46.16A.030](#))
- Must have a use permit ([RCW 46.09.440](#))
- Must display current ORV tag ([RCW 46.09.440](#))

## Vehicle Equipment

- Spark Arrester ([RCW 46.09.470](#))
- Muffler (86 decibel limit)( [RCW 46.09.470](#))
- Helmet (Except for off-road vehicles equipped with seat belts and roll bars or an enclosed passenger compartment) ([RCW 46.09.470](#))

## Use

- Not street legal – may be operated on a nonhighway road and in parking areas serving designated off-road vehicle areas if the state, federal, local, or private authority responsible for the management of the nonhighway road authorizes the use of off-road vehicles; and on a street, road, or highway as authorized under [RCW 46.09.360](#). ([RCW 46.09.450](#))
- May be used on private property if the owner grants approval ([RCW 46.09.450](#))
- Must be 13 years old to operate, persons under 13 may operate under direct supervision of a person 18 or older possessing a valid drivers license ([RCW 46.09.460](#))

**Note:** While we have tried to compile a complete listing of laws regarding this type of mobility device, additional requirements may apply. To read additional law requirements please visit the Washington State legislative Web site at <http://www.leg.wa.gov/LawsAndAgencyRules/>

Off Road



UTV  
GUIDE.NET



## Licensing wheeled all-terrain vehicles

### Metal tags for ATVs

A new law changed how 4-wheeled and utility-type ATVs are licensed. All wheeled all-terrain vehicle (WATVs) that meet the definition below must display a metal tag.

Visit a vehicle licensing office to get a WATV permit issued. You won't get the metal tag at that time. It will be mailed to you from our headquarters in Olympia. Depending upon the demand, metal tags may be mailed within 2 weeks.

As a WATV owner you're required to:

- Affix the metal tag to the rear of the WATV.
- Keep the ORV decal on the WATV for law enforcement purposes.
- Sign the registration and carry it when operating the WATV.

### Definition of wheeled all-terrain vehicles that need a metal tag

These are considered wheeled all-terrain vehicles, and must have a metal tag:

- **A motorized, non-highway vehicle with handle bars:**
  - That is 50 inches or less in width.
  - Have a seat height of at least 20 inches.
  - Weighs less than 1,500 pounds.
  - Has 4 tires with diameters of 30 inches or less.
- or
- **A utility-type vehicle** designed for, and capable of, travel over designated roads that:
  - Has 4 or more low-pressure tires of 20 psi or less.
  - Is less than 74 inches wide.
  - Weighs less than 2,000 pounds.
  - Has a wheelbase of 110 inches or less.
  - Meets 1 or more of the following:
    - Is at least 50 inches wide.
    - Weighs at least 900 pounds.
    - Has a wheelbase of over 61 inches.

If your WATV is street legal, you may get an **on-road tab** to display on the metal tag. This allows you to ride your WATV on certain roads.

### How to make your all-terrain vehicle street legal

1. Make sure the vehicle has **all** the following equipment installed\*:
  - **Head lamp** – used whenever the vehicle is in motion on a road. See [RCW 46.37.030](#) and [46.37.040](#).
  - **Tail lamp**, See [RCW 46.37.525](#).
    - **2 Tail lamps** – For utility-type vehicles. See [RCW 46.37.070](#).
  - **Stop lamp**. See [RCW 46.37.200](#).
  - **Reflectors**. See [RCW 46.37.060](#).
  - **Turn signals**. See [RCW 46.37.200](#).
  - **Brakes** in working order.
  - **Mirror** on left or right handlebar.
    - **2 Mirrors** – For utility-type vehicles. See [RCW 46.37.400](#).
  - **Horn or warning device**. See [RCW 46.37.380](#).
  - **Spark arrester and muffling device**. See [RCW 46.09.470](#).
  - **Windshield**. See [RCW 46.37.430](#), unless the driver wears glasses, goggles, or a face shield of a type conforming to rules adopted by the state patrol. See [WAC 204-10-026](#).
  - **Seatbelts** – For utility-type vehicles. See [RCW 46.37.510](#).
2. Have a WA licensed WATV repair shop or dealer inspect the vehicle. They'll complete Part 1 of the [Wheeled All-Terrain Vehicle Road Use Declaration](#) form and sign it.
3. Take the following to a [vehicle licensing office](#):
  - The **Wheeled All-Terrain Vehicle Road Use Declaration** form.
  - A **copy of the receipt** showing you paid for the inspection – attached to form.
  - The vehicle's **title**.
    - If your bank has the title, contact them to get it and the road use declaration submitted.

**\*Note:** All equipment must also meet federal requirements:

- [Examples: Equipment Manufacturer Labeling Requirements](#)
- [RCW 46.09.457: Equipment and declaration requirements for wheeled all-terrain vehicles — Exception](#)
- [Federal Motor Vehicle Safety Standards \(www.fmcsa.dot.gov/\)](http://www.fmcsa.dot.gov/)

### **Metal tag**

We'll issue a temporary permit and mail a metal tag to you:

- The permit is printed on security paper and must be weatherproofed before using.
- When you receive your tag, affix it to the rear of the WATV.
- Keep the ORV decal on the WATV for law enforcement purposes.
- Sign the registration and carry it when operating the WATV.

If you've completed all the steps to make your WATV street legal:

- We'll add "modified for on-road use" to the vehicle registration to show that it's street legal.
- To ride on roads, you'll need a **metal tag with an on-road tab**. The law requires you to pay both on- and off-road fees and meet the requirements for on-road use.

### **Frequently asked questions**

#### **How can I find out if a WATV dealer or repair shop is licensed?**

Ask for their Unified Business Identifier (UBI) number and [Search business and professional licenses](#) online. Repair shops will have a business license; dealers will have both a professional and a business license. The status should be open and active.

#### **How much will the safety inspection cost?**

The dealer or repair shop can't charge more than \$50 per safety inspection. Attach a copy of the receipt to your Wheeled All-Terrain Vehicle Road Use Declaration form.

#### **What if I decide to remove the equipment that's installed?**

After you've removed the equipment, you must submit the title to a [vehicle licensing office](#) and remove the on-road tab from the metal tag. We'll issue a new title for the vehicle with the comment "not eligible for road use."

#### **Do I need a driver license to operate a WATV on a public roadway?**

Yes. It must be valid and you must comply with all:

- Applicable [Rules of the road](#), except that wheeled all-terrain vehicles may not be operated side-by-side in a single lane of traffic.
- and
- Laws for motorcycle drivers under [RCW 46.37.530](#).

#### **Do I need a motorcycle endorsement?**

No.

### **Related laws**

- [RCW 46.09: Off-road, nonhighway, and wheeled all-terrain vehicles](#)
- [RCW 46.17.350: License fees by vehicle type](#)
- [RCW 46.63.020: Violations as traffic infractions](#)



Street Legal



## **ORDINANCE No. 903**

### **AN ORDINANCE OF THE CITY OF LONG BEACH, WASHINGTON PROVIDING FOR REGULATION OF WHEELED ALL-TERRAIN VEHICLES AND OFF-ROAD VEHICLES WITHIN THE CITY LIMITS, AND PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT**

**WHEREAS**, in June 2014, the Washington State Legislature passed Engrossed Substitute House Bill 1632 regulating the use of off-road vehicles in certain areas; and

**WHEREAS**, the City of Long Beach City Council has received input from City and area citizens as well as Pacific County law enforcement and government officials on this matter; and

**WHEREAS**, pursuant to RCW 35A.11.020, the Long Beach City Council has all powers possible under the Constitution not specifically denied by law which may be exercised for the protection and maintenance of public ways; and

**WHEREAS**, regarding ORVs other than WATVs, pursuant to RCW 46.09.360(1) a city may regulate the operation of nonhighway vehicles on public lands, waters, and other properties under its jurisdiction, and on streets, roads, or highways within its boundaries by adopting regulations or ordinances of its governing body, provided such regulations are not less stringent than the provisions of RCW 46.09; and

**WHEREAS**, regarding WATVs, pursuant to RCW 46.09.455(1)(d)(i) a person may not operate a WATV on a public roadway within the boundaries of a city or town, not including nonhighway roads and trails, unless the city or town by ordinance has approved the operation of wheeled all-terrain vehicles on city or town roadways, not including nonhighway roads and trails; and

**WHEREAS**, pursuant to RCW 79A.05.693, ocean beaches in Seashore Conservation Areas are declared public highways, and pursuant to RCW 79A.05.605, the ocean beach of the Long Beach Peninsula is established as a Seashore Conservation Area, and pursuant to RCW 79A.05.610 the Washington State Parks and Recreation Commission has jurisdiction over the Shoreline Conservation Area; and

**WHEREAS**, pursuant to WAC 352-37-190 only legally licensed and operated "street legal" vehicles may be operated on the ocean beach; and

**WHEREAS**, under mutual agreement, the City of Long Beach Police Department enforces State driving laws in the Seashore Conservation Area immediately west of the City's western limits;

**WHEREAS**, the City recognizes that decisions it makes and actions it takes regarding this issue may affect its citizens as well as citizens of Pacific County located near Long Beach; and

**WHEREAS**, it is the duty of the City to protect the health, safety, and welfare of its citizens and to protect the natural environment of the City, including the dunal area of the City.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LONG BEACH,  
WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1. Definitions**

- A. "Emergency management" means the carrying out of emergency functions related to responding and recovering from emergencies and disasters, and to aid victims suffering from injury or damage, resulting from disasters caused by all hazards, whether natural, technological, or human caused, and to provide support for search and rescue operations for persons and property in distress.
- B. "Highway," for the purpose of this chapter only, means the entire width between the boundary lines of every roadway publicly maintained by the state department of transportation or any county or city with funding from the motor vehicle fund. A highway is generally capable of travel by a conventional two-wheel drive passenger automobile during most of the year and in use by such vehicles.
- C. "Land owned or controlled by the City" means any land owned by the City of Long Beach, or any land controlled by easement, lease, license, right-of-entry, or other written agreement giving the City use of the subject property.
- D. "Non-highway road" means any road owned or managed by a public agency, a primitive road, or any private road for which the owner has granted an easement for public use for which appropriations from the motor vehicle fund were not used for (a) original construction or reconstruction in the last twenty-five years; or (b) maintenance in the last four years.
- E. "Off-road vehicle" or "ORV" means a non-street registered vehicle when used for recreational purposes on non-highway roads, trails, or a variety of other natural terrain. Off-road vehicle or ORV includes, but is not limited to, all-terrain vehicles, motorcycles, four-wheel drive vehicles, and dune buggies.
- F. "Seashore Conservation Area" means all lands now or hereafter under state ownership or control lying between Cape Disappointment and Leadbetter Point and occupying the area between the line of ordinary high tide and the line of extreme low tide, as these lines now are or may hereafter be located, and, where applicable, between the Seashore Conservation Line, as established by survey of the Washington state parks and recreation commission and the line of extreme low tide, as these lines now are or may hereafter be located; and shall also include all state-owned nontrust accreted lands along the ocean.
- G. "Wheeled all-terrain vehicle" or "WATV" means (a) any motorized non-highway vehicle with handlebars that is fifty inches or less in width, has a seat height of at least twenty inches, weighs less than one thousand five hundred pounds, and has four tires having a diameter of thirty inches or less, or (b) a utility-type vehicle designed for and capable of travel over designated roads that travels on four or more low-pressure tires of twenty psi or less, has a maximum width less than seventy-four inches, has a maximum weight less than



two thousand pounds, has a wheelbase of one hundred ten inches or less, and satisfies at least one of the following: (i) Has a minimum width of fifty inches; (ii) has a minimum weight of at least nine hundred pounds; or (iii) has a wheelbase of over sixty-one inches.

## **Section 2. Prohibitions on Operating a WATV/ORV in the City of Long Beach**

- A. **Exemptions.** This ordinance shall not apply to the use of a WATV/ORV when operated for emergency management, City property and Discovery Trail maintenance, or law enforcement purposes. The ordinance shall also not apply to use of a WATV/ORV when operated as farming, construction, or logging equipment, and such operation is exempt or eligible for rebate under RCW 82.38. This ordinance shall not apply to any street-legal vehicle, whether an ORV/WATV or other type of vehicle.
- B. **ORV Prohibition.** It shall be unlawful for a person to operate a non street legal off road vehicle (ORV) on any highway or non-highway road, on or across the Discovery Trail in the City of Long Beach, or on any land owned or controlled by the City of Long Beach.
- C. **WATV Prohibition.** It shall be unlawful for any person to operate a non street legal wheeled all-terrain vehicle (WATV) on any highway, non-highway road, on or across the Discovery Trail in the City of Long Beach, or on any land owned or controlled by the City of Long Beach.
- D. **Ocean Beach and Beach Access Prohibition.** It shall be unlawful for any person to operate a non-street legal ORV/WATV in the LBPD enforcement area of the Seashore Conservation Area. It shall be unlawful for anyone to access the ocean beach by vehicle via any other route than the City's two beach approaches at Bolstad Avenue and Sid Snyder Drive.
- E. **Dune Prohibition.** It is strictly prohibited and illegal to drive an ORV/WATV or any other vehicle, whether street legal or not, in the dune west of the eastern edge of the Discovery Trail, and either across or on the Discovery Trail.
- F. **Non-Licensed Driver Prohibition.** It shall be illegal for any non-licensed driver to operate a street legal ORV/WATV on any highway or non-highway road, on or across the Discovery Trail in the City of Long Beach, or on any land owned or controlled by the City of Long Beach.

## **Section 3. Penalties for Violation of this Ordinance**

Unless stated otherwise, violation of any section of this ordinance by a licensed driver is punishable by a fine up to \$500 per incident. The parent or legal guardian of a minor who knowingly allows the minor to operate a WATV/ORV in violation of this ordinance is subject to a fine of up to \$500.

**Section 4. Severability**

Should any provision, section, paragraph, sentence, clause or phrase of this Ordinance or its application to any person or circumstance be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

**Section 5. Repeal**

Any existing ordinances that may conflict with this ordinance are hereby repealed.

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**Section 6. Effective Date**

This Ordinance shall be in full force and effect five (5) days from and after its passage, approval, and publication in the manner required by law.

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**Section 7. Adoption Date**

ADOPTED by the City Council of the City of Long Beach, Pacific County, Washington at a regular open public meeting held the DATE day of MONTH, 2014.

AYES 0

NAYS 0

ABSENT 0

ABSTENTIONS 0

---

Robert Andrew, Mayor

ATTEST:

---

David Glasson, City Clerk

TAB - D



Report: AGY064P2  
710-EBL BLSD020

State of Washington  
Business Licensing Service  
Agency Requirements Document (ARD)

Date: 07 17 2014  
Page: 1

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: Profit Corporation

Legal Entity Name : CANN LAWYERS, A PROFESSIONAL CORPORATION, WASHINGTON

Firm Name : CANN LAWYERS, A PROFESSIONAL CORPORATION, WASHINGTON

Location Phone/FAX: (360) 642-3108 (503) 228-6529

Location Address : 212 PACIFIC AVE N  
LONG BEACH WA 98631 3990

In City Limits: Y

FEES : \$125.00  
Application Number : 603 420 016 001 0001  
Application ID : 2014 197 5034  
Application Received Date: 07 16 2014  
Expiration Date: 07 31 2015  
Business Open Date: 07 16 2014  
Mail Addr: PO BOX F  
LONG BEACH WA 98631 0210

Product/Serv Desc: Services  
Services LEGAL SERVICES ON LONG BEACH PENINSULA

Operator Comments:

Previous Business License: N

Square Footage: 1860

Applying as Non Profit Business: N  
501(C) Received: -

Conducting Business From Residence: N

Emergency Contact 1: FREDERIC CANN  
Emergency Contact 2:

Hazardous/Flammable Materials:  
(503) 936-8236  
(000) 000-0000

Email Address: fcann@fcann.com

Additional Business Activities:

Account Status: Pending Approval

Zoning	OT SB	Date	7/25/14	Fire	Date
Building		Date		Police	Date
Finance		Date		Planning	Date
Comments:					

07/29/14

Report: AGY064P2  
710-LBL BLSD020

State of Washington  
Business Licensing Service  
Agency Requirements Document (ARD)

Date: 07 18 2014  
Page: 1

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: LLC

Legal Entity Name : ANDERSON ENVIRONMENTAL CONTRACTING, LLC

Firm Name : ANDERSON ENVIRONMENTAL CONTRACTING, LLC

Location Phone/FAX: (360) 577-9194 (360) 577-9184

Location Address : 705 COLORADO ST  
KELSO WA 98626 5506

UBI Number : 602 041 159 001 0001  
Application ID : 2014 199 5008  
Application Received Date: 07 18 2014  
Fees : \$125.00  
Expiration Date: 07 31 2015  
First Date of Business: 07 24 2014  
Mail Addr: 705 COLORADO ST  
KELSO WA 98626 5506

In City Limits: Y

Product/Serv Desc: Wholesale  
Wholesale ENVIRONMENTAL CONSTRUCTION

Operator Comments:

Previous Business License: N

Square Footage: 0  
Applying as Non Profit Business: N  
501(C) Received: -

Email Address: lorriem@aecllc.net

Additional Business Activities:

General/Specialty Contractor # ANDEREC005PD Contractor license number verified in the Contractor database. Expires: 03 20 2016  
Account Status: Pending Approval

Zoning	NA SP	1/25/14	Fire		Date
Building		Date	Police		Date
Finance		Date	Planning		Date
Comments:					

2014/1/25/14

Report: AGY064P2  
710-LBL BLS020

State of Washington  
Business Licensing Service  
Agency Requirements Document (ARD)

Date: 07 18 2014  
Page: 1

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: Profit Corporation  
Legal Entity Name : DOUGLAS CONST. CO. INC

UBI Number : 603 351 798 001 0001  
Application ID : 2014 199 4509  
Application Received Date: 07 18 2014

Firm Name : DOUGLAS CONST. CO. INC

Fees : \$125.00  
Expiration Date: 07 31 2015

Location Phone/FAX: (503) 490-0304 (503) 914-0867

First Date of Business: 07 21 2014

Location Address : 24112 P ST  
OCEAN PARK WA 98640 3816

Mail Addr: 3890 TAMARACK LN  
LAKE OSWEGO OR 97035 1845

In City Limits: Y

Product/Serv Desc: Services

Services LANDSCAPE SERVICES AND CONSTRUCTION SERVICES TO IN  
CLUDE REMODEL, REPAIR, NEW CONSTRUCTION, AND MAINTENANCE

Operator Comments:

Previous Business License: N

Square Footage: 0

Applying as Non Profit Business: N  
501(C) Received: \_

Email Address: rainebl@dbailey.com

Additional Business Activities:

General/Specialty Contractor # DOUGLCC862BU

Contractor license number verified in the Contractor database. Expires: 02 18 2016

Account Status: Pending Approval

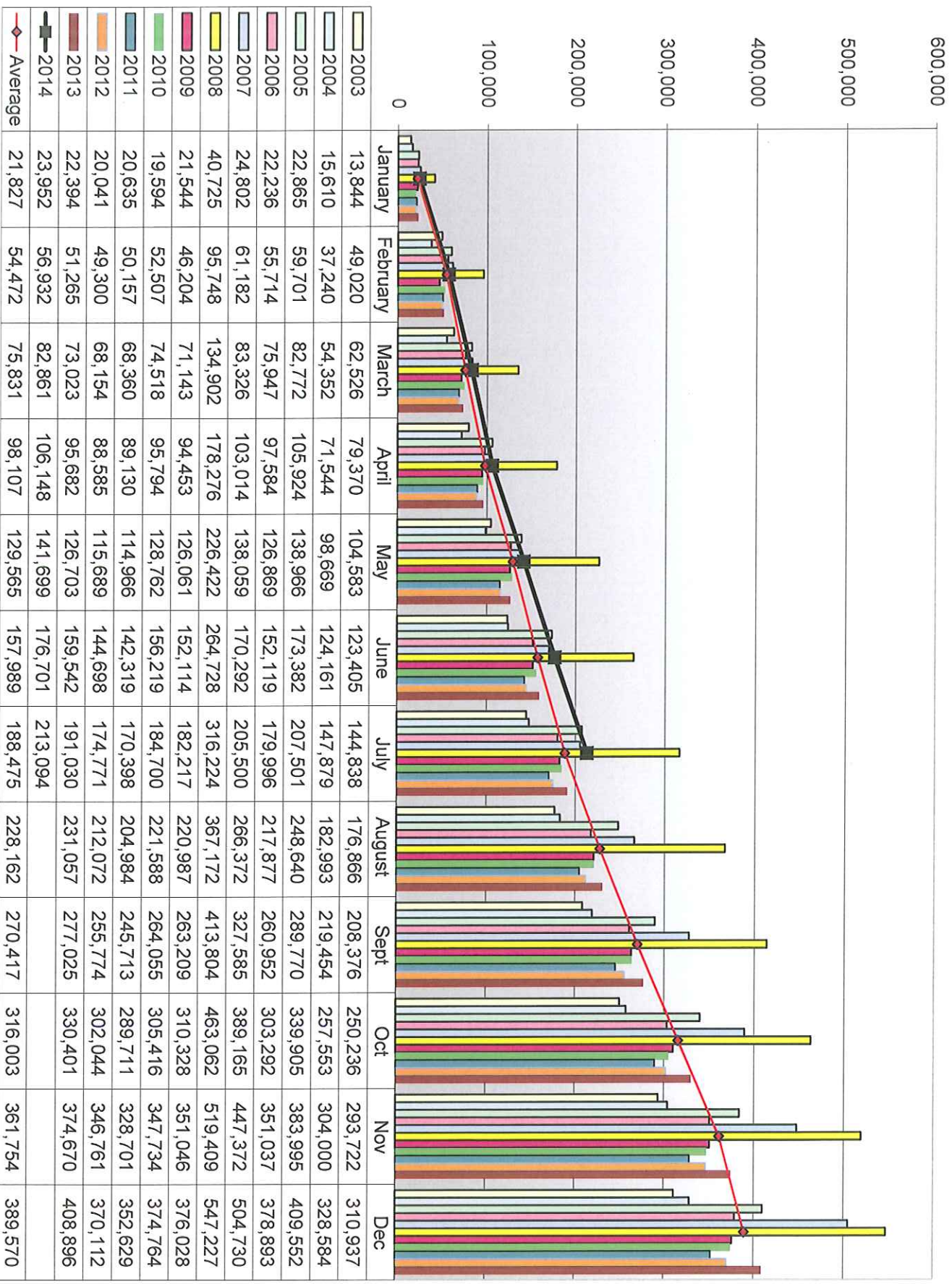
- Zoning HA S 7/29/14 Date  
- Building \_\_\_\_\_ Date  
- Finance \_\_\_\_\_ Date  
- Comments: \_\_\_\_\_ Date

Fire \_\_\_\_\_ Date  
Police \_\_\_\_\_ Date  
Planning \_\_\_\_\_ Date

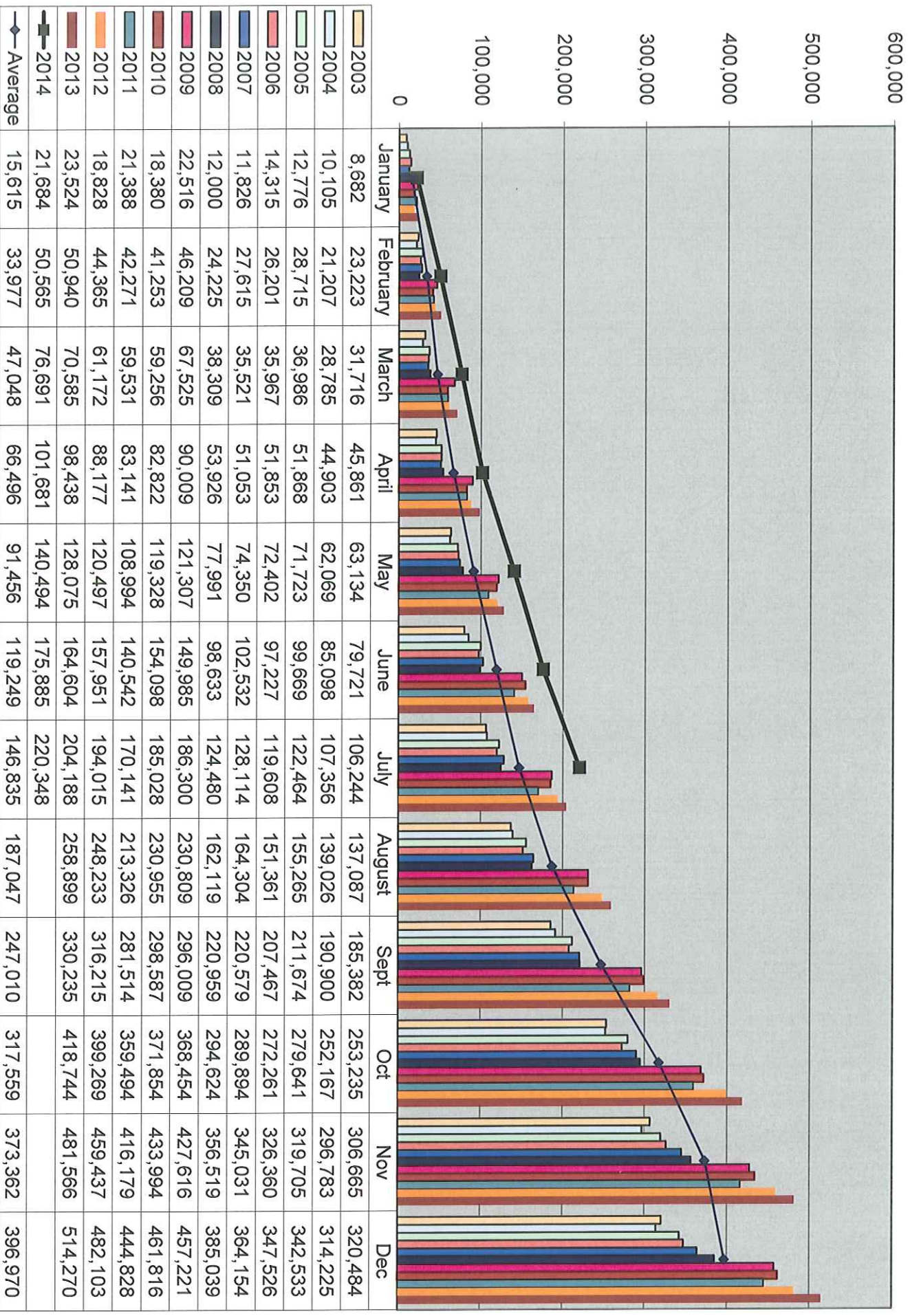
6-4-14  
7/29/14



## Sales Tax Collections



## Lodging Tax Collections







STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000

711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

July 15, 2014

Veronica G. Price  
P.O. Box 1226  
Long Beach, WA 98631

Dear Ms. Price:

Thank you for informing the Department of Ecology (Ecology) of your concerns regarding the Shoreview Estates subdivision located at 19<sup>th</sup> Street NW in the City of Long Beach. We have carefully reviewed your letters and the several attachments and legal documents that you included to highlight your concerns.

The Shoreview Estates subdivision was established within shoreline jurisdiction of the City of Long Beach. Therefore, it was subject to review and approval under the Long Beach Shoreline Master Program. In October 2003, the City of Long Beach began its review and notified interested parties and relevant agencies through the State Environmental Policy Act (SEPA) review process.

In the SEPA documents, the City and the applicant, Leroy Ostrem, identified that the proposed development was located within the 100-year floodplain and that wetland fill associated with road construction and lot development was part of the proposal.

Upon completion of the SEPA and shoreline permit comment periods, the City conducted a hearing on the shoreline permit application and issued a Shoreline Substantial Development Permit (local #03-12-12). According to the City's record, the application included a wetland delineation and rating, and assertions that staff from the U.S. Army Corps of Engineers (Corps) approved the delineation. This permit and associated application materials were filed with Ecology on April 27, 2004. A 21-day appeal period followed, whereby anyone who was aggrieved by the permit could appeal it to the Shorelines Hearings Board.

A shoreline substantial development permit is a locally issued permit pursuant to the Shoreline Management Act. Ecology does not have approval authority over the permit. We understand that you have concerns that certain conditions or requirements of the permit have not been met. Concerns in this regard must be directed to the City.



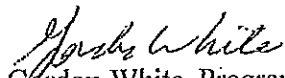
Ms. Veronica Price  
July 15, 2014  
Page 2

More recently, you have asserted that wetlands are currently being filled by the residential construction occurring as a part of the approved subdivision. My staff conducted three separate site visits to this area and did not observe any wetland fill occurring at this time. It is our understanding that the Corps also conducted a recent site visit and did not find evidence of recent unauthorized wetland fill. Regardless, wetland fill in the area established for the subdivision has already been approved by the original shoreline permit.

You have also asserted that recent applications for building permits did not correctly answer questions regarding floodplains and nearby surface waters. These questions are part of a City of Long Beach application and, as with the shoreline permit, are issues that need to be raised with the City.

I do appreciate your concerns in this matter and recognize the effort that you have expended to bring them to our agency's attention. Our efforts in responding to you are intended to help you with directions toward the most appropriate and productive pathway to some resolution. I hope that your continuing interactions with the City will achieve your intended outcomes.

Sincerely,



Gordon White, Program Manager  
Shorelands and Environmental Assistance

cc: Maia Bellón, Department of Ecology  
Paula Ehlers, Department of Ecology  
Rick Mraz, Department of Ecology  
Gayle Borchard, City of Long Beach



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
SEATTLE DISTRICT, CORPS OF ENGINEERS  
P.O. BOX 3755  
SEATTLE, WASHINGTON 98124-3755

Regulatory Branch

JUL 21 2014

Ms. Veronica Price  
P.O. Box 1226  
Long Beach, Washington 98631

Reference: NWS-2014-632  
19<sup>th</sup> St. N., Long Beach

Dear Ms. Price:

On June 12, 2014, we inspected your property and two separate construction sites, one owned by Mr. Gregory Jarmin and the other owned by Mr. Leroy Ostrem. These properties are located along 19<sup>th</sup> Street North at Long Beach, Washington. Our inspection was in response to your complaint that fill had been placed in wetlands on these two properties.

Under Section 404 of the Clean Water Act, a Department of the Army permit is normally required to discharge dredged or fill material into waters of the U.S., including wetlands and navigable waters of the U.S. (For more information, please refer to the enclosed *Clean Water Act Extracts and Definitions*.)

Based on the results of our investigation and site visit, we have determined that the fill material on the two properties was not placed in waters of the U.S. Therefore, this work did not require Department of the Army authorization from the U.S. Army Corps of Engineers. While Department of the Army authorization was not required for this work, other local, state, or federal authorizations could be required.

Your concerns about flooding and unstable ground are more appropriately addressed by the City of Long Beach. We recommend you contact the City to discuss these concerns. A copy of this letter has been furnished to the City of Long Beach, U.S. Environmental Protection Agency, and the Washington Department of Ecology. If you have any questions about our determination or Regulatory Program, please contact Mr. Ron Wilcox at [ronald.j.wilcox@usace.army.mil](mailto:ronald.j.wilcox@usace.army.mil) or at (206) 316-3893.

Sincerely,

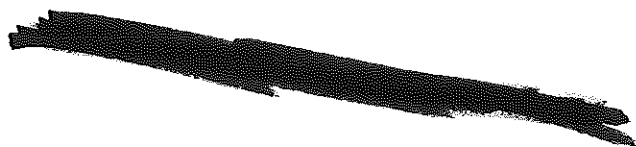
A handwritten signature in dark ink, appearing to read "David Martin".

David Martin, Section Chief  
Regulatory Branch

Enclosures









July 28, 2014

I am sending you a copy of the Certificate of Municipal Leadership (CML) that was earned by one of your councilmembers or the mayor. This is to let you know that they have earned this distinction and we encourage your city or town to recognize them for it. The elected official who earned the CML status received the original certificate.

Also enclosed is a sample press release that the elected official received as well. Please feel free to personalize and send to your local media.

The Certificate of Municipal Leadership (CML) Program provides a chance for mayors and councilmembers in Washington to enhance their knowledge and leadership skills in order to provide more effective local governance. There are two levels of CML. The certificate that your elected official earned is the first level of CML.

Please let me know if you have any questions. You can reach me at (360) 753-4137 or at [karent@awcnet.org](mailto:karent@awcnet.org)

Sincerely,

A handwritten signature in purple ink, appearing to read "Karen", is written over the word "Sincerely,".

Karen Tanner  
Membership Coordinator



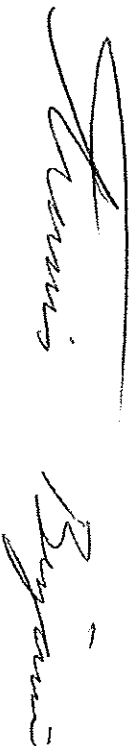
# AWC Certificate of Municipal Leadership

The Association of Washington Cities  
recognizes

*Mayor Robert Andrew  
City of Long Beach*

for the successful completion of AWC's  
Certificate of Municipal Leadership training program.

Presented 7/25/2014



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Francis Benjamin, AWC President